

APPENDIX E TO CONSENT DECREE
Capacity, Management, Operation and Maintenance (“CMOM”) Program

NOTE: The CMOM Program requirements set forth in this Appendix E apply to Elyria’s Sewer System excluding the sewers that collect and convey only stormwater.

In addition to any CMOM Program requirements set forth in Paragraphs 18-20 of the Consent Decree, Elyria’s CMOM Program shall comply with the nine minimum controls as required by the section II.B of CSO Policy, Part II.F of its current NPDES Permit, and EPA’s May 1995 “Combined Sewer Overflows; Guidance for Nine Minimum Controls”; shall comply with the operational plan requirements of section II.C.6 of the CSO Policy; and shall incorporate and update Elyria’s Combined Sewer System Operational Plan that was approved by Ohio EPA May 2, 1997. Additionally, Elyria’s CMOM Program (“CMOM Program”) shall include, at a minimum, the following:

1. An updated Combined Sewer System Operational Plan.
2. An inventory of Sewer System components and equipment.
3. Detailed procedures for identifying all occurrences of CSOs and SSOs from the Sewer System.
4. A Sewer System condition assessment program consisting of:
 - a. Routine proactive inspection of the Sewer System, with closed-circuit television (“CCTV”) inspection of all gravity sewer pipes in the Sewer System. Elyria shall complete one inspection of each gravity sewer pipe in the Sewer System within five years of the Effective Date. This initial inspection shall include CCTViing performed by Elyria during calendar years **2019, 2020, and 2021** through the date of EPA approval of the CMOM Program. Elyria shall then re-inspect its entire Sewer System every five years for the duration of the Consent Decree. Elyria may implement a Sewer System inspection schedule that is less frequent than every 5 years if Elyria develops and submits to EPA for review and approval, in consultation with the State, a risk-based re-inspection schedule.
 - b. Inspection of all manholes in the Sewer System within five years of the Effective Date and every five years following, and preparation of condition assessment reports following CCTV inspections. The initial inspection shall include inspections performed by Elyria during calendar years **2019, 2020, and 2021** through the date of EPA approval of the CMOM Program. Elyria may develop a risk-based re-inspection schedule and submit it to EPA for review and approval, after consultation with the State.
 - c. All pipe and manhole inspections and all inspection reports shall be consistent with a nationally-recognized sewer inspection protocol, such as that of the National Association of Sewer Service Companies (“NASSCO”). Elyria shall ensure that at least one member of each CCTV crew maintains Pipeline Assessment Certification Program (“PACP”) and Manhole Assessment Certification Program (“MACP”) certifications or other equivalent certifications from another nationally recognized organization similar to NASSCO.

5. Cleaning of all gravity sewer lines: (i) once every five years: and (ii) as necessary to maintain a minimum of 90% of nominal sewer capacity, based upon the percent of cross-section reduction by accumulated material, in each sewer segment throughout the Sewer System. Elyria shall complete one cleaning of each gravity sewer pipe in the Sewer System within five years of the Effective Date, which shall include cleaning performed by Elyria during calendar years **2019, 2020, and 2021** as part of its CCTV activities described above. After the first five-year cleaning cycle is completed, Elyria may develop a need-based cleaning schedule to extend the cleaning interval for selected pipes and submit it to EPA for review and approval, after consultation with the State.

6. Routine daily, weekly, monthly, and annual preventative maintenance of pumping stations, and force mains preventative maintenance based on risk-based assessments.

7. Sealing (where appropriate) and maintenance of manholes.

8. Identification and remediation of structural deficiencies.

9. Procedures for ensuring that new sewers and connections are properly designed and constructed (including testing of new sewer installations) to limit infiltration, prevent overflows, and to ensure that new connections of inflow sources are prohibited.

10. Procedures for ensuring that repair, rehabilitation and replacement projects are properly designed and constructed (including testing of rehabilitated Sewer System components) to prevent overflows and eliminate excessive RDI/I.

11. Utilization of a computerized maintenance management system that shall be used to: (i) document complaints, work orders, and updates to equipment inventory; (ii) schedule and track Sewer System preventative and reactive maintenance activities including condition assessment activities; (iii) track Sewer System component condition data; and (iv) schedule component rehabilitation and replacement in accordance with the results of the Sewer System assessment activities required by Paragraphs 2-5.

12. A Fats, Oil and Grease (“FOG”) control program that, at a minimum, includes the following:

a. Procedures for identifying and mitigating FOG trouble spots throughout the Sewer System.

b. Procedures for categorizing and regulating Food Establishments. Food Establishments shall mean any nonresidential facility, including, but not limited to, restaurants, bakeries, hotel and cafeteria kitchens, commercial kitchens, kitchens serving schools, hospitals and other healthcare facilities, food processing plants or other nonresidential facilities that can introduce food waste or FOG into Elyria’s Sewer System. Elyria shall follow the procedures required by this Paragraph to ensure that Food Establishments install necessary FOG control devices and/or implement necessary procedures to prevent excess FOG discharges to the Sewer System.

c. Procedures for conducting inspections and taking follow-up actions for FOG trouble spots that are determined to be caused by Food Establishments. When trouble spots are identified to be caused by one or more Food Establishments, Elyria shall follow an established enforcement protocol to ensure that the Food Establishment(s) implement all necessary measures to prevent excess FOG discharges to the Sewer System.

d. Procedures for coordinating with the local health departments or other agencies that conduct regular inspection at Food Establishments to coordinate efforts and ensure Elyria is made aware of any FOG trouble spots identified by the local health departments or other agencies.

e. Elyria shall also ensure appropriate on-site record-keeping by each regulated Food Establishment, including, but not limited to records of the dates of grease removal, the amount of grease removed, the location where the Food Establishment disposed of the grease and the name, address, and phone number of the hauling or recycling service used to transport and/or dispose of the FOG.

f. Elyria shall maintain a list of all Food Establishments determined to be the cause of FOG trouble spots and the specific actions taken to ensure that those Food Establishments install proper FOG control devices.

g. Educational efforts aimed at FOG sources and, if appropriate, residential users, and recommendations for changes to public education, outreach and compliance efforts to inform commercial, institutional and residential property owners and tenants about the need to minimize the introduction of FOG into the Sewer System.

h. A hyperlink on the City of Elyria's website that provides residents and businesses with information about Elyria's FOG program including a contact phone number, electronic mailing address, or other contact information that residents and business can use to obtain more information or report any problems.

13. A root control program that addresses, at a minimum, scheduling and performing corrective measures including both short-term mitigation of root intrusion (i.e., routine maintenance) and rehabilitation of the areas in which root intrusion has caused recurring blockages (i.e., sewer replacement or relining), and a proposal that includes scheduled inspection of known problem areas.

14. An Overflow Response Plan ("ORP") to respond to and address SSOs, Unauthorized Releases, and Dry Weather Overflows ("Overflows") that includes:

a. Overflow response organization, staffing, and resources;

b. Citizen reporting mechanisms, information management, staff communications, and resource dispatch procedures, including target time-frames for each aspect of overflow response;

c. Specific Overflow response procedures, including investigative, corrective and mitigation/cleanup procedures;

- d.** Overflow rate/volume estimation procedures;
- e.** Public notification procedures for all SSOs and Dry Weather Overflows that reach the Receiving Waters;
- f.** Impact monitoring;
- g.** Regulatory Reporting and records retention; and
- h.** Staff training.

15. A “root cause analysis” process for situations in which the City’s Sewer System failed to perform as designed and resulted in an SSO, Unauthorized Release, or Dry Weather Overflow. This process shall include the documentation of all the known operational variables that lead to the failure in performance of the Sewer System and the occurrence of an SSO, Unauthorized Release, or Dry Weather Overflow.